

GOVERNMENT RESILIENT BUILDING

Pg.	Agency	Statutory Amendment	Constitutional Amendment	Short-Term 2011 Session	Long-Term	Option 1	Option 2	Option 3	Costs	Analyst Due Date
A 1	Martin Luther King, Jr. Commission and Office of African American Affairs	Yes	No	Yes		196.0	234.8	128.9		7/9/2010
B 6	Establish a Department of Commerce - Econ Devel., WSD, Tourism, RLD, Workers Comp, Border Authority, Space Port and State Fair	Yes	No	Yes		1,453.4				8/6/2010
C 10	Merge Gaming and Racing Commissions	Yes	No	Yes		2,136.1				7/9/2010
	Merge Homeland Security and Department of Public Safety	Yes	No	Yes						7/9/2010
	Move all Medicaid waiver program to Human Services Department (DOH & ALTSD)									
D 13	Merge Health Policy Commission into DOH	Yes	No	Yes		none				8/6/2010
	Merge Aging and Long-Term Services into HSD									7/9/2010
E 16	Move youth mentoring from Department Finance and Administration to Children, Youth and Families Department	No	No	Yes		none				7/9/2010
	Indian Affairs Department - consolidate with other advocacy agencies????									8/6/2010
F 17	Merge Organic Commission to Department of Agriculture at NMSU	Yes	No	Yes		none				7/9/2010
	Establish an Energy and Environment Dept: Energy, Minerals and Natural Resources Department, Environment Department, Nat Res. Trustee and Game and fish									8/6/2010
	Establish a Health Care Authority Department - Public School Insurance Authority/Risk Management Division risk programs/Retiree Health Care Authority/GSD state emp benefits/APS group benefits									8/6/2010
G 20	Juvenile Public Safety Advisory Board-duties to CYFD	Yes	No	Yes		none	24.9			7/9/2010
H 23	Civil Legal Services program at DFA	No	No	Yes		2,044.4	2,044.4			7/9/2010
I 27	Intertribal Ceremonial - duties to Indian Affairs agency					88.1				7/9/2010
	Close Magistrate Courts with low or zero caseload									8/6/2010
	General Services Department - Reorg									8/6/2010
	Public Regulation Commission - Reorg									8/6/2010
	Potential - Needs More Research				TOTAL	\$5,918.0	\$2,304.1	\$128.9	\$0.0	
1	Move e-911 to Department of Information Technology									8/6/2010
	Other									
1	Establish a Central Office for administrative functions (purchasing, budget, personnel, accounting etc.) to serve small agencies									8/6/2010
2	Move Drinking water Revolving Loan Fund from NMFA to NMED or New Agency									8/6/2010

GOVERNMENT RESTRUCTURING

Pg.	Agency	Statutory Amendment	Constitutional Amendment	Short-Term 2011 Session	Long-Term	Option 1	Option 2	Option 3	Costs	Analyst Due Date
	Education Subcommittee Work Group:									
1	School District Administration									
2	* PED/HED									
3	Establish a Education Finance component at DFA									
	Boards & Commission Subcommittee									
1	Consolidate/merge all DD boards and commissions into 1 board									
2	Crime Victims Rep. Commission									
	RSTP									
1	Revenue Restructuring									

* Committee on Government Efficiency - Carruthers Report

Core Services Category: Advocacy - Elimination

Study Area: Martin Luther King, Jr. Commission and Office of African American Affairs

High Level Recommendation: Eliminating the Martin Luther King Jr. Commission and transferring the duties to the Office of African American Affairs.

Problem Statement: The Martin Luther King, Jr. Commission's (MLKJC) mission is very narrow and duplicates the mission of the Office of African American Affairs (OAAA).

Background and Findings:

- MLKJC is authorized under Sections 28-19-1 through 28-19-4 NMSA 1978, and consists of 13 board members. The commission plans and coordinates statewide commemorative Martin Luther King Jr. holiday events, hosts an annual youth conference, sponsors a leadership tour, and teaches King's principles and philosophy. The commission has 3 exempt FTE, of which only the director and secretary position are funded for FY11. MLKJC is funded completely by the general fund.
- OAAA participates in Martin Luther King Jr. commemorative ceremonies annually and participates in many of the same special events as the MLKJC.
- There is inefficiency in having duplicative administrative costs in two agencies with common goals. Both agencies have a director and OAAA has a budget analyst while MLKJC contracts with Time Keepers Inc. for a chief financial officer at the cost of \$25.6 thousand.
- MLKJC has displayed difficulties in managing its budget which has resulted in over expenditures and untimely payment of bills. The agency reported at the end of FY09 having a balance of \$1,500 and \$8,800 in two unpaid bills. The consolidation would ensure a full-time budget analyst to be responsible for fiscal oversight.

MLKJC's General Fund Appropriations (in thousands)

	General Fund	FTE
FY07	\$372.6	3
FY08	\$402.1	3
FY09	\$397.3	3
FY10	\$380.0	3
FY11	\$319.5	3

Source: MLKJC and LFC Files

Options to Consider:

1. Eliminate the commission and moving the duties to the OAAA.
2. Place the MLKJC in the Human Services Department (HSD). HSD is a large state agency that can absorb the administrative functions for the commission.
3. Assign one director and co-locate the two individual agencies.

Fiscal Implications:

- The potential savings is \$196 thousand to eliminate the commission and transfer duties to the OAAA. OAAA would absorb 1 FTE administrative assistant I position at \$41.8 thousand, funding for professional service contracts at \$6.4 thousand, and other costs at \$75.3 thousand for the annual youth conference, leadership tour and grants/services. There would be implementation costs for moving expenses estimated at \$3 thousand.
- The potential savings is \$234.8 thousand to place MLKJC in HSD. HSD would acquire funding for professional service contracts at \$6.4 thousand and other costs at \$78.3 thousand. The other costs category includes funding for board expenses, annual youth conference, leadership tour and grants/services. There would be implementation costs for moving expenses estimated at \$3 thousand.
- The potential savings is \$128.9 thousand for MLKJC and OAAA to share a director and co-locate. The cost savings is achieved by eliminating the director position at MLKJC and co-locating the agencies which saves on leasing and property insurance costs. There would be implementation costs for moving expenses estimated at \$6 thousand.

Implementation Plan:

- Changes to MLKJC regarding elimination of the commission, merging with OAAA or being placed within HSD will require changes to statute in the 2011 legislative session.
- Changes to MLKJC regarding potential savings will need to be reflected in the LFC and Executive budget recommendation for FY12.
- Key stakeholders are the board members of the MLKJC and the African American community in New Mexico.

Recommendation: Eliminating the Martin Luther King Jr. Commission (MLKJC) and transferring of duties to the Office of African American Affairs (OAAA).

Opportunities: Align two state agencies with similar missions and goals to increase efficiency through administrative cost savings.

Opposition: Legislators and public may oppose the combining of the two agencies.

	Option 1 Potential Savings (in thousands of dollars)					
	FY11			FY12		
	General Fund	Other Funds	Federal Funds	General Fund	Other Funds	Federal Funds
Personal Services and Employee Benefits:						
Deleted FTE				74.4		
Benefits				30.4		
Contractual Services:						
Professional Services				25.6		
Audit				8.0		
IT Services				2.0		
Other:						
In-State & Out-Of-State Travel				2.5		
Board/Commission Expenses				3.0		
Transportation Costs				2.0		
Leasing and Property Insurance				25.3		
Furniture/Equipment				4.5		
Office Supplies				2.9		
Educational/Recreational Supplies				1.0		
DoIT Fees				7.9		
Printing/Photo				0.0		
Postage				0.0		
Employee Training & Subscriptions/Dues				1.5		
Advertising				5.0		
Miscellaneous Other Expenses				0.0		
TOTAL	\$0.0	\$0.0	\$0.0	\$196.0	\$0.0	\$0.0

	<u>Amount</u>	<u>Source</u>
Revenue Impacts?	No	

	<u>Amount</u>	<u>Source</u>
Cost to Implement?	Yes - Moving Costs 3.0	General Fund

Comments/Notes: Option 1 would leave \$123,500 to transfer to OAAA to continue administration of coordinating statewide commemorative ceremonies for Martin Luther King Jr. holiday, annual youth conference and leadership tour. OAAA would absorb 1 FTE administrative assistant I position at \$41,800, funding for professional service contracts at \$6,400 and other costs at \$75,300. The other costs category includes \$52,900 for the annual youth conference and leadership tour, and \$10,000 for grants and services.

Recommendation: Placing the Martin Luther King Jr. Commission (MLKJC) in the Human Services Department (HSD).

Opportunities: HSD is a large state agency that can absorb the administrative duties for the commission achieving cost savings.

Opposition: Legislators and public may oppose placing the commission in HSD.

	Option 2 Potential Savings (in thousands of dollars)					
	FY11			FY12		
	General Fund	Other Funds	Federal Funds	General Fund	Other Funds	Federal Funds
Personal Services and Employee Benefits:						
Deleted FTE				102.7		
Benefits				43.9		
Contractual Services:						
Professional Services				25.6		
Audit				8.0		
IT Services				2.0		
Other:						
In-State & Out-Of-State Travel				2.5		
Board/Commission Expenses				0.0		
Transportation Costs				2.0		
Leasing and Property Insurance				25.3		
Furniture/Equipment				4.5		
Office Supplies				2.9		
Educational/Recreational Supplies				1.0		
DoIT Fees				7.9		
Printing/Photo				0.0		
Postage				0.0		
Employee Training & Subscriptions/Dues				1.5		
Advertising				5.0		
Miscellaneous Other Expenses				0.0		
TOTAL	\$0.0	\$0.0	\$0.0	\$234.8	\$0.0	\$0.0

	<u>Amount</u>	<u>Source</u>
Revenue Impacts?	No	

	<u>Amount</u>	<u>Source</u>
Cost to Implement?	Yes - Moving 3.0	General Fund

Comments/Notes: Option 2 would leave \$84,700 to transfer to HSD to provide the commission with administrative assistance in coordinating statewide commemorative ceremonies for Martin Luther King Jr. holiday, annual youth conference and leadership tour. HSD would acquire funding for professional service contracts at \$6,400 and other costs at \$78,300. The other costs category includes \$3,000 for board expenses, \$52,000 for the annual youth conference and leadership tour, and \$10,000 for grants/services.

Recommendation: Have the Martin Luther King Jr. Commission (MLKJC) and Office of African American Affairs (OAAA) share one director and co-locate the two individual agencies.

Opportunities: The sharing of one director and co-locating of agencies is more efficient and achieves administrative cost savings.

Opposition: Legislators and public may oppose the elimination of a director and co-locating of the two agencies.

Option 3 Potential Savings (in thousands of dollars)

	FY11			FY12		
	General Fund	Other Funds	Federal Funds	General Fund	Other Funds	Federal Funds
Personal Services and Employee Benefits:						
Deleted FTE				83.3		
Benefits				20.3		
Contractual Services:						
Professional Services				0		
Audit				0		
IT Services				0		
Other:						
In-State & Out-Of-State Travel				0		
Board/Commission Expenses				0		
Transportation Costs				0		
Leasing and Property Insurance				25.3		
Furniture/Equipment				0		
Office Supplies				0		
Educational/Recreational Supplies				0		
DoIT Fees				0		
Printing/Photo				0		
Postage				0		
Employee Training & Subscriptions/Dues				0		
Advertising				0		
Miscellaneous Other Expenses				0		
TOTAL	\$0.0	\$0.0	\$0.0	\$128.9	\$0.0	\$0.0

	<u>Amount</u>	<u>Source</u>
Revenue Impacts?	No	

	<u>Amount</u>	<u>Source</u>
Cost to Implement?	Yes - Moving Costs 6.0	General Fund

Comments/Notes: Option 3 achieves cost savings by eliminating the director position at MLKJC and co-locating the agencies which saves on leasing and property insurance costs.

Core Services Category: Commerce and Industry – Gaming Control Board and New Mexico Racing Commission.

Study Area: Consolidation/Efficiency

High Level Recommendation: Repeal the appropriate sections of the Gaming Control Act and the State Racing Commission Act. Combine the functions of the two agencies into the New Mexico Racing and Gaming Commission. (This recommendation was not specifically addressed in Carruthers Report.)

Problem Statement: There exists an unnecessary dual agency approach to gaming and racing in New Mexico and the New Mexico Gaming Control Board and the New Mexico Racing Commission should be merged into one new regulatory agency. Not only will this save significant general fund monies – this based upon FY11 combined general fund operating budgets of \$7.7 million – but it will also provide benefits to their respective industries, as well as the state and taxpayers. Further, since both agency central offices are presently located in the same building – 4900 Alameda Blvd NE, Albuquerque – no additional relocation expenses will be required. However, if the new agency is moved to the PERA building in Santa Fe – which is recommended – there would be an annual general fund costs savings in rent of \$689.7 thousand. While the board suggests that its operations should be based in Albuquerque, the reality is that the board's statewide operations could be conducted from Santa Fe, as is the case with the majority of state agencies. Total projections associated with the consolidation of the agencies reflect general fund potential annual savings of \$1.4 million. (See attached spreadsheet.)

Background and Findings: The New Mexico Racing Commission provides regulation of the pari-mutuel horseracing industry to protect the interest of the wagering public and the state in a manner which promotes economic prosperity for horsemen, horse owners and racetrack management. The commission's regulatory oversight includes both human and equine drug testing, licensing of all participants as well as background investigations, enforcement of the rules and regulations of pari-mutuel horseracing, oversight of 5 racetracks, 6 race meets, approval of race dates for live racing as well as regulation of simulcast facilities and signals. The commission is composed of five gubernatorial-appointed members. The membership must meet the following criteria:

1. Three members are horse breeders;
2. Two members are public members; and
3. No more than three members from the same political party.

The New Mexico Gaming Control Board was established by the New Mexico Legislature and began operations in June 1998. It is responsible for regulating legalized gaming at New Mexico's licensed racetracks, as well as veterans' and fraternal organizations. The Board also appoints a representative to monitor New Mexico's tribal gaming compacts. In 2005 the Gaming Control Board also began regulating Bingo and Raffle. The board is composed of five gubernatorial-appointed members. The membership must meet the following criteria:

1. Three members are paid fulltime positions

- a. One must be an attorney
 - b. One must be a Certified Public Accountant
 - c. One must have a background in Law Enforcement
2. One member is the chairman of the racing commission
 3. One member is a public member who must have experience in business; and
 4. No more than three members from the same political party.

While the Gaming Control Board currently has three fulltime members, day to day operation of the agency is managed by the board's executive director, with board members relegated to voting on licensing and administrative sanctions drawn from staff recommendations. These responsibilities could be addressed during regularly scheduled board meetings and do not require the board members to be fulltime employees. Additionally, the reduction of fulltime board member salaries provides the opportunity to redesignate general fund to preclude any reduction of services by the agency.

Options to Consider: The proposed New Mexico Gaming and Racing Commission will retain all jurisdictional authority currently vested in the two, now separate agencies. It will consist of seven gubernatorial-appointed, *non-paid* members with the chair to be elected by the membership. The membership must meet the following criteria:

1. Two members must be horse breeders;
2. One member must be a licensed Certified Public Accountant;
3. One member must be an attorney licensed to practice in the state;
4. One member must have five years supervisory experience in law enforcement;
5. One member must have experience in business; and
6. One public member.
7. No more than four members can be from the same political party.

Primary Benefits To The Industry, The State and The Taxpayer:

1. Streamlined processes with particular emphasis on single background investigations
2. Common licensing procedures
3. Single board meetings
4. More rapid response to issues
5. In-house legal representation and research
6. Enhanced customer service
7. Cost savings to licensees
8. Cost Savings to the state and the taxpayer
9. Reduction of redundancy in staffing levels

Fiscal Implications: See attached spreadsheet and organizational chart.

Implementation: Repeal the appropriate sections of the Gaming Control Act (Sections 60-2E-1 through 60-2E-62 NMSA 1978) and the State Racing Commission Act (Sections 60-1-1 through

60-1-26 NMSA 1978). Realign the FY12 agency budget requests to reflect the merging of the agencies.

Combined New Mexico Gaming Control Board and Racing Commission Cost Projections

General Fund monies in thousands

Based upon FY11 Operating Budget (as submitted on May 1, 2010)

Account Code	Account Title	Gaming Control Board	Racing Commission	Total Combined Budget for FY11	Potential Cost Savings	New Combined Budget	FY 12 Request Gaming	FY 12 Request Racing
200	Personal Services/Benefits	3,928.8	1,217.1	5,145.9	-724.0	4,421.9		
300	Contractual Services	731.9	737.6	1,469.5	-20.0	1,449.5		
400	Other	929.0	200.1	1,129.1	-709.5	419.6		
Total		5,589.7	2,154.8	7,744.5	-1,453.5	6,291.0		

Cost Savings Detail

200 Personnel Services (Positions Removed)		
Three (3) Fulltime Board Members (NMGCB)		-413.5
Director (Racing)		-132.9
HR Position		-77.3
Administrative Supervisor		-86.7
Various Administrative		-146.5
Total 200		-724.0
300 Contractual Services		
Independent Financial Audit (Performed on both agencies)		-20.0
Total 300		-20.0
400 Other Costs		
Supplies (Estimate based on inventory control)		-6.0
Move Operation to PERA building from rented building in Albq.		-689.7
In-State Travel		-10.5
In-State Travel (Exempt)		-3.3
Total 400		-709.5

Core Services Category: Public Safety – Homeland Security and Department of Public Safety.

Study Area: Reorganization/Efficiency

High Level Recommendation: Repeal the appropriate sections of the Homeland Security and Emergency Management Department and return all emergency management and homeland security, policy development, agency coordination, and implementation functions to the Department of Public Safety.

Problem Statement: There exists an unnecessary dual agency approach to statewide homeland security and public safety functions and the Homeland Security and Emergency Management Department should be merged into the Department of Public Safety.

The FY11 general fund appropriation to the Homeland Security Department is \$2.8 million and the federal funds appropriations is \$35.4 million, with the majority of federal funds (some \$26 million) being passed through as grants to various state and local agencies to support homeland security-related initiatives. For the most part, there is no state general fund match for the federal funding appropriations.

The FY11 appropriations to the Department of Public Safety include \$91 million from the general fund and \$20.8 million in federal funds, with some \$6 million being passed through as grants to various state and local agencies in support of various law enforcement initiatives. DPS' FY11 FTE count is 1,259, contrasted with Homeland Security's 66 FTE. Homeland Security could be absorbed back into DPS at the program level with the grants management function being assumed by existing DPS infrastructure.

Because the homeland security function is primarily directed to coordination and consultation – with no actual incident operational control – it would support the primary DPS mission to “...protect and secure the people of New Mexico in their lives, homes, and communities.” This realignment would not only streamline chain of command issues, but would also eliminate 27 FTE, and save \$1.1 million in general fund, as well as an additional \$1 million in federal funds that could conceivably be reprogrammed from its existing departmental administrative support alignment into homeland security-related grants to local agencies. (See attached spreadsheet.) However, a more comprehensive FTE analysis would be required in order to determine specific Department of Public Safety administrative staffing levels once the homeland security function is absorbed.

Background and Findings: The New Mexico Office of Emergency Management was first created in 1959 as the Civil Emergency Preparedness Division (CEPD) of the Office of Military Affairs. The State Civil Emergency Preparedness Act re-defined the purpose and function of the Division. In 1979, the Federal Emergency Management Agency (FEMA) was and CEPD was then reorganized to meet the FEMA structural requirements. In 1987, the office was moved from Office of Military Affairs to the Department of Public Safety. In 1990, the name of the agency was changed to the Office of Emergency Management, Department of Public Safety. In 2003, the governor created the Governor's Office of Homeland Security that worked in conjunction with the Office of Emergency Management. In 2007, Chapter 291 (House Bill 227)

created the Homeland Security and Emergency Management Department. The law removed the Emergency Management and the Homeland Security Support Program from the Department of Public Safety from DPS and the Office of Homeland Security from the Governor's Office to create a separate Homeland Security and Emergency Management Department (DHSEM). The purpose of the new department was to:

- Consolidate and coordinate homeland security and emergency management functions to provide comprehensive and coordinated preparedness, mitigation, prevention, protection, response, and recovery for emergencies, disasters and acts of terrorism, regardless of cause;
- Serve as the central primary coordinating agency in response to emergencies, disasters, and acts of terrorism; and
- Serve as the conduit for federal assistance and cooperation in response to emergencies, disasters and acts of terrorism.

Options to Consider: The mission of DHSEM, as the central primary coordinating agency for the state and its political subdivisions, is to consolidate and coordinate emergency management functions to provide comprehensive and coordinated preparedness, mitigation, prevention, protection, response and recovery for emergencies and disasters, regardless of cause. The agency is also the conduit for federal assistance and cooperation in response to emergencies, disasters and acts or threats of terrorism. The agency not only deals with sister state agencies and local jurisdictions, but is the State Coordinator with FEMA during a National emergency or a Presidentially declared disaster under the Stafford act. Additionally, the New Mexico All Source Intelligence Center is housed within the DHSEM. Participation in this program by law enforcement agencies including federal agencies has been successful due to DHSEM being unaffiliated with a specific law enforcement entity and not being a party to active criminal investigations.

The Department of Public Safety's (DPS) mission is to be the State's law enforcement agency. The DPS role in a disaster or emergency is to enforce laws and protect the public as needed. The National Emergency Management Association (NEMA) has recognized that to be an effective coordinator of emergency resources, an agency must be able to pull from all the available assets including for example; the New Mexico National Guard, the New Mexico State Police, New Mexico Department of Health, Energy Minerals Natural Resource Department or the New Mexico Department of Transportation. However, although it may be argued that DHSEM and DPS could conceivably find themselves with different specific missions during disasters or emergencies, the fact remains that their overarching missions share a similar focus and are complimentary in nature.

Fiscal Implications: See attached spreadsheet.

Implementation: Repeal the appropriate sections of the Homeland Security and Emergency Management Department (Section 9-21-1 through 9-28-7, NMSA 1978) and return all emergency management and homeland security, policy development, agency coordination, and implementation functions to the Department of Public Safety. Realign the FY12 agency budget requests to reflect the merging of the agencies.

Combined Department of Public Safety and Homeland Security Department Cost Projections

Based upon FY11 Operating Budget (as submitted on May 1, 2010)

7/24/2010

Account Code	Account Title	Department of Public Safety	Homeland Security Department	Combined Operating Budget for FY11	Potential Cost Savings	New Combined Budget	FY 12 Request DPS	FY 12 Request DHS
200.0	Personal Services/Benefits	90,052.9	4,091.1	94,144.0	(2,020.1)	92,123.9		
300.0	Contractual Services	5,808.2	1,799.1	7,607.3	(36.0)	7,571.3		
400.0	Other	35,434.9	32,577.2	68,012.1	(80.0)	67,932.1		
Total		131,296.0	38,467.4	169,763.4	(2,136.1)	167,627.3		

Cost Savings Detail

200.0	Personnel Services							
	Elimination of 27 duplicative, primarily administrative FTE (see attachment)							(1,045.3)
	General Fund Savings							(974.8)
	Federal Funds Savings (to be reprogrammed into agency activities)							(2,020.1)
Total 200								
300.0	Contractual Services							
	Independent Financial Audit (Performed on both agencies) General Fund Savings							(36.0)
Total 300								(36.0)
400.0	Other Costs							
	Supplies and other general support costs (based on 27 FTE reduction) General Fund Savings							(60.0)
	In-State Travel General Fund Savings							(20.0)
Total 400								(80.0)

Core Services Category: Health Planning and Policy

Study Area: Consolidation

High Level Recommendation: Repeal act establishing the Health Policy Commission (HPC) and transfer several limited (but necessary) functions to the Division of Policy and Performance, Department of Health

Problem Statement: The FY11 General Fund appropriation to the Health Policy Commission (HPC) is \$150.6 thousand. An additional \$5 thousand is budgeted from other state funds from the sale of reports to third parties. Funds available are only sufficient to cover two FTE, a financial officer and a management analyst. Agency is unable to fulfill all of its statutory obligations given the current level of funding.

Background and Findings: Established by statute in 1991 as a forum for discussion of complex and controversial health policy issues, the agency separated from the New Mexico Department of Health in 1995 in order to provide “independent” research, guidance and recommendations on health policy issues that impact the health care and health systems of New Mexico. By statute, HPC’s primary responsibilities are to develop a plan for, and monitor the implementation of, the state’s health policy; provide information and analysis on health issues, and serve as a catalyst and synthesizer of health policy in the public and private sectors.

For a variety of reasons, HPC’s primary statutory mission has never been fully realized. It has seldom, if ever, served as the primary catalyst for the formation of a comprehensive state health policy or as the entity responsible for overseeing the implementation of such a policy. In reality, its role has been generally limited to leadership of, or participation in, task forces and work groups focused on specific health policy issues and the annual collection, analysis, and dissemination of information, data and outcomes related to New Mexico’s health care system.

The table below provides information on HPC appropriations over the last five years:

Fiscal Year	General Fund	Total Funds	FTE
2007	\$1,289.5	\$1,290.5	15
2008	\$1,351.2	\$1,352.3	15
2009	\$1,259.0	\$1,261.0	15
2010	\$805.7	\$810.7	14
2011	\$150.6	\$155.6	9

Since the FY11 appropriation to HPC was insufficient to fund even the somewhat modest activities of data collection and analysis, the HPC has entered into a memorandum of understanding (MOU) with the Department of Health to house HPC personnel, equipment supplies and data systems and, “to the extent possible, pay for HPC’s operating expenses that exceed the amount of the operating budget appropriated to HPC by the General Appropriation Act of 2010 and in subsequent fiscal years.” The two staff positions remaining at HPC will be directly funded through HPC legislative appropriation.

The current arrangement should not be continued beyond FY11. Despite the small budget, HPC, as a separate state entity, must comply with all the requirements of a state agency. It must conduct a separate independent audit, prepare its budget request and conduct all of its financial and human resource activities through the Statewide Human Resources, Accounting and Management Reporting System as a separate state agency. There are significant costs associated with all these activities that go well beyond the level of resources that have been provided to the agency. The current arrangement is not cost effective since one staff position is required simply to manage the fiscal and administrative functions of the agency.

Options to Consider: There are two options to consider. The first option is to abolish HPC and transfer its remaining core function of data collection, analysis and report dissemination to the Division of Policy and Performance in the Department of Health. In this regard, the continued operation of the New Mexico Health Information System (HIS) is considered essential. HIS is designed to collect, analyze and disseminate health data and information for use by public and private entities in health planning and policy development. Such a function will become increasingly important as the state begins to establish the systems, policies and organizational structures required to implement national health care reform.

The second option is to redefine the mission and goals of the HPC. Ironically, this would mean redefining the agency in such a way that it is able to accomplish much of what it is already directed to accomplish in current statute. Implementation of the federal Patient Protection and Affordable Care Act (PPACA) presents a major challenge to the state. At some point in the not too distant future, it is highly likely that the state will need to establish or designate some state entity to oversee the development and implementation of the state's health care reform plan. With additional resources and clear statutory authority, the HPC could logically take on this role. Conceivably, its mission could even expand to include the operation of the health care exchange prescribed by PPACA.

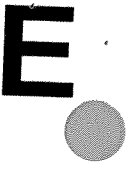
Fiscal Implications: There are no significant additional cost savings available through the abolition of the HPC. If HIS functions are transferred to DOH, approximately \$150.0 thousand from the general fund should be included in the budget for the Policy and Performance Division at DOH to fund two management analysts and/or IT support staff for HIS operations.

The designation of HPC as the lead state agency for health care reform would involve the investment of additional state resources. In the short term, federal dollars from PPACA should be available to assist the state in establishing the information systems and organization structures necessary for implementation of national health care reform.

Implementation: Elimination of HPC would require legislative repeal of the Act establishing the Commission. Given the budget reductions that HPC has been forced to absorb over the last few years, it is unlikely that there will be serious opposition to the abolition of the Commission as long as the key functions described above are transferred to DOH. Members of the Commission may be concerned that health professionals and other key stakeholders will be denied the opportunity to influence state health policy. Since such input is invaluable to the state, it would probably be advisable for DOH to establish a standing advisory group to solicit input

from health professionals and other key stakeholders as well as various ad hoc work groups to tackle specific health issues.

If the option to redefine the role of HPC is adopted, amendments will need to be made to the statute establishing the HPC. Such a move would likely be more controversial since there are several state agencies that have missions consistent with health care reform that will be directly impacted by PPACA.



Core Services Category: Youth Mentorship

Study Area: Efficiency

High Level Recommendation: Move funding for youth mentorship at Department of Finance and Administration (DFA) to the Children, Youth and Families Department (CYFD)

Problem Statement:

There are inefficiencies in having youth mentorship programs in two state agencies. More efficiency is gained by having the program at CYFD where the expertise is.

Background and Findings:

- DFA was appropriated \$2,364,500 in FY11 for youth mentorship programs. Historically, this funding has been awarded to the Big Brothers, Big Sisters program.
- DFA is a fiscal oversight agency and its core mission does not encompass the administration and management of direct program services.
- CYFD has youth mentorship programs through AmeriCorps. AmeriCorps is a community volunteerism program that tutors and mentors disadvantaged youth and coordinates after-school programs.
- Moving the youth mentorship funding from DFA to CYFD will streamline services and ensure there is no duplication in providing services.

Options to Consider:

1. Move youth mentorship funding from DFA to CYFD.
2. Keep the youth mentorship funding at DFA.

Fiscal Implications:

There is no fiscal impact in moving the youth mentorship funding from DFA to CYFD.

Implementation Plan:

- Reflect the transfer of the funding from DFA to CYFD in the LFC and Executive recommendation for FY12.
- Key stakeholders are the Big Brothers, Big Sisters programs and youth that receive services from mentorship programs.
- Include language in the General Appropriation Act to designate the purpose of the funding to ensure funding continues for youth mentorship.

Core Services Category: Agriculture, Energy and Natural Resources

Study Area: Consolidation

High Level Recommendation: Interest has been expressed by both the New Mexico Organic Commodity Commission and the New Mexico Department of Agriculture at New Mexico State University for New Mexico Organic Commodity Commission to be integrated into New Mexico Department of Agriculture as a program.

Problem Statement: The New Mexico Organic Commodity Commission is a small agency with only 5 FTE and total of revenue \$306.7 thousand (\$25 thousand from the general fund) for FY11. The agency works diligently to accomplish its goals of expanding and certifying organic farming in New Mexico. However, there is concern that the small agency size makes it automatically administratively inefficient if both a director and financial manager are required.

Background and Findings: The Organic Commodity Act, Sections 76-22-1 through 76-21-22 NMSA 1978, created the New Mexico Organic Commodity Commission to regulate and promote organic agriculture in New Mexico. The enabling act also created a five-member commission, which appoints the executive director. Under state and federal authority, the agency provides an organic certification program to New Mexico businesses, protects the public interest regarding organic labeling claims made in the marketplace, and promotes organic agriculture through public education and marketing assistance.

The mission of the New Mexico Organic Commodity Commission is to provide certification services and marketing assistance for organic producers, processors, and retailers and information, education, and marketplace protection for consumers. The goal of the commission is to be an effective advocate for organic production in New Mexico, to make the certification process accessible and to rigorously ensure the truthfulness of organic claims.

The New Mexico Department of Agriculture was created by the state constitution in 1911 and unified under the Board of Regents of New Mexico State University in 1955. The Director of the New Mexico Department of Agriculture serves as the Secretary of Agriculture on the Governor's Cabinet.

The New Mexico Department of Agriculture describes its activities as: by securing the food supply, promoting trade, and protecting New Mexico natural resources and environment, the New Mexico Department of Agriculture is a producer consumer and regulatory agency that plays a fundamental role in multiple sectors of New Mexico's agricultural and consumer services industries. The agency's oversight of organic farming is essential to ensure the integrity of organic labeling of New Mexico products and simultaneously protects the product marketability and the consumer interest.

Based on their missions, the New Mexico Organic Commodity Commission should work well under the New Mexico Department of Agriculture banner as both promote similar aspects of New Mexico agriculture.

State budget constraints make it difficult to expand the New Mexico Organic Commodity Commission even though there is general consensus that the demand for organic products has grown and continues to grow even more. Incorporation of the New Mexico Organic Commodity Commission into the New Mexico Department of Agriculture offers an opportunity to promote organic agricultural interests in New Mexico in a more cost efficient fashion.

New Mexico Organic Commodity Commission
General Fund Appropriations (in thousands)

	General Fund	FTE
FY07	\$289.0	4
FY08	\$302.9	4
FY09	\$300.3	4
FY10	\$310.2	5
FY11	\$24.9	5

Source: New Mexico Organic Commodity Commission and DFA Files

Options to Consider: Other options may not be available since continuing the New Mexico Organic Commodity Commission at the FY11 appropriation does not appear feasible.

Fiscal Implications: The FY11 the New Mexico Organic Commodity Commission appropriation from the general fund is \$25 thousand. Incorporation of the New Mexico Organic Commodity Commission function into the New Mexico Department of Agriculture will allow continuation of the New Mexico Organic Commodity Commission function and mission at this or only a slightly higher level. Appropriations from the general fund in FY09 and FY10 were in the \$300 thousand range. This incorporation would effectively preserve the New Mexico Organic Commodity Commission function and save approximately \$250 thousand annually from the general fund. Maybe of more importance than the savings is the opportunity for organic agriculture to be represented by the far greater marketing exposure offered by the New Mexico Department of Agriculture.

Implementation Plan: The New Mexico Organic Commodity Commission and the New Mexico Department of Agriculture have already entered into negotiations to accomplish the consolidation. Each seems committed to the arrangement and the opportunities it promises.

Key stakeholders include the organic agriculture community and the New Mexico State University regents. If the regents find fault with the plan this would constitute a serious obstacle.

Champions include the New Mexico Organic Commodity Commission Chair, New Mexico Department of Agriculture secretary and New Mexico State University regents.

Recommendation: Consideration of incorporating the New Mexico Organic Commodity Commission into the New Mexico Department of Opportunities: The greatest opportunity for the organic farm community is potentially greater marketing offered by NMDA in a more efficient manner.

Opposition: No opposition has yet identified itself.

	Potential Savings (in thousands of dollars)					
	FY11			FY12		
	General Fund	Other Funds	Federal Funds	General Fund	Other Funds	Federal Funds
Personal Services and Employee Benefits:						
# Deleted FTE						
Benefits						
Contractual Services:						
Medical Services						
Professional Services						
Other Contractual						
Audit						
Attorney Fees						
IT Services						
Other:						
In-State & Out-Of-State Travel						
Board/Commission Expenses						
Transportation Costs						
Grounds and Building Maintenance						
Leasing and Property Insurance						
Furniture/Equipment						
Information Technology						
Office Supplies						
Medical Services						
DoIT Fees						
Printing/Photo						
Postage						
Utilities						
Employee Training & Subscriptions/Dues						
Advertising						
Miscellaneous Other Expenses						
TOTAL	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0

		Amount	Source
Revenue Impacts?	Y or N	n	n

		Amount	Source
Cost to Implement?	Y or N	n	n

Comments/Notes: There are no additional savings available for either FY11 or FY12 since the current general fund appropriation is only \$25 thousand and at least this amount would need to be appropriated to NMDA to fulfill the additional duties. However, a savings of approximately \$250 thousand over FY10 would be realized. Onetime costs related to closing and moving the NMOCC Abiq office and moving to NMSU have not been considered but would presumably be minimal.



Core Services Category: Juvenile Justice Facilities and Services Oversight

Study Area: Consolidation/Elimination

High Level Recommendation: Move the Juvenile Public Safety Advisory Board to Children, Youth and Families Department, and reevaluate the number of board members needed to fulfill the duties of the board.

Problem Statement: The Juvenile Public Safety Advisory Board's operating budget consists of only funding for board expenses, and currently the board relies on CYFD for administrative support.

Background and Findings:

- Section 32A-7A-1 through 32A-7A-8 created the Juvenile Public Safety Advisory Board which consists of seven governor appointees. The board reviews programs and initiatives, makes recommendations to CYFD on adjudicated youth programs, and conducts onsite facility inspections and visits. The Juvenile Public Safety Advisory Board is administratively attached to CYFD.
- CYFD implemented the Cambiar New Mexico initiative based on the Missouri model which eliminated the need for a Juvenile Parole Board. The statute changed creating release panels within juvenile justice service that are now the releasing authority for committed juveniles instead of the Juvenile Parole Board. The Juvenile Parole Board changed to the Juvenile Public Safety Advisory Board and its mission changed to citizen oversight. The Juvenile Public Safety Advisory Board members sit on the release panel and share one vote for or against the release of a youth offender from a state secure juvenile facility.
- Independent oversight for juvenile justice facilities and services is also provided by the American Civil Liberties Union, Juvenile Justice Commission, New Mexico Sentencing Commission's Juvenile Committee and various advocacy groups.
- In FY10, Juvenile Public Safety Advisory Board's budget was reduced by \$210.6 thousand, or 48.4 percent, from the FY09 adjusted budget and 3 FTE were eliminated. In FY11, the agency's budget was reduced to only board expenses and the remaining 3 FTE were eliminated.

Juvenile Public Safety Advisory Board's
General Fund Appropriations (in thousands)

	General Fund	FTE
FY07	\$395.4	6
FY08	\$434.0	6
FY09	\$446.0	6
FY10	\$224.2	3
FY11	\$24.9	0

Source: Juvenile Public Safety Advisory Board and LFC Files

Options to Consider:

1. Move the Juvenile Public Safety Advisory Board and its duties to CYFD, and reevaluate the number of board members required to fulfill the duties of the board.
2. Sunset the Juvenile Public Safety Advisory Board in statute.

Fiscal Implications:

- Placing the board within CYFD would have no fiscal impact.
- Sunsetting of the Juvenile Public Safety Advisory Board would produce a potential savings of \$24.9 thousand.

Implementation Plan:

- To sunset or modify the Juvenile Public Safety Advisory Board will require changes to statute in the 2011 legislative session.
- Changes to the Juvenile Public Safety Advisory Board regarding funding for FY12 should also be reflected in the LFC and Executive recommendation.
- Key stakeholders are the board members of the Juvenile Public Safety Advisory Board, New Mexico Sentencing Commissions Juvenile Board, CYFD's Juvenile Justice Facilities Program, American Civil Liberties Union and juvenile justice advocates.

Recommendation: Move the Juvenile Public Safety Advisory Board to Children, Youth and Families Department (CYFD), and reevaluate the number of board members needed to fulfill the duties of the board.

Opportunities: Restructure and create a more efficient board that has sufficient administrative support.

Opposition: Legislators and public may oppose moving the Juvenile Public Safety Advisory Board to CYFD.

Option 1 Potential Savings (in thousands of dollars)						
	FY11			FY12		
	General Fund	Other Funds	Federal Funds	General Fund	Other Funds	Federal Funds
Other:						
Board/Commission Expenses				0.0		
TOTAL				\$0.0		

		<u>Amount</u>	<u>Source</u>
Revenue Impacts?	No		

		<u>Amount</u>	<u>Source</u>
Cost to Implement?	No		

Comments/Notes: There is no potential savings.

Recommendation: Sunsetting the Juvenile Public Safety Advisory Board.

Opportunities: Eliminate the duplication of citizen oversight that already exists through other entities, such as the American Civil Liberties Union, Juvenile Justice Commission, New Mexico Sentencing Commission's Juvenile Committee, and various advocacy groups.

Opposition: Legislators and public may oppose the elimination of the Juvenile Public Safety Advisory Board.

Option 2 Potential Savings (in thousands of dollars)						
	FY11			FY12		
	General Fund	Other Funds	Federal Funds	General Fund	Other Funds	Federal Funds
Other:						
Board/Commission Expenses				24.9		
TOTAL				\$24.9		

		<u>Amount</u>	<u>Source</u>
Revenue Impacts?	No		

		<u>Amount</u>	<u>Source</u>
Cost to Implement?	No		

Comments/Notes: Cost savings is achieved by sunsetting the Juvenile Public Safety Advisory Board.

Core Services Category: Legal Services for Low Income Individuals

Study Area: Program Reduction or Elimination

High Level Recommendation: Eliminate General Fund appropriations for the Civil Legal Services program.

Problem Statement: The Civil Legal Services Program is currently funded from the General Fund and from docket fees collected in the Civil Legal Services Fund. The question is whether this program is a core state function and should it continue to receive General Fund appropriations.

Background and Findings: Civil Legal Services (CLS) is defined by Section 34-14-1 NMSA 1978 which creates a Civil Legal Services Commission whose mission is to provide a range of free legal services to New Mexicans living in poverty. The section creates a Civil Legal Services Fund to be overseen by the commission. The commission shall enter into contracts with nonprofit organizations to provide civil legal services for low-income persons. The commission prioritizes funding to address key issue areas such as domestic violence, and produces an annual report which includes an accounting of each organization receiving funds from the Civil Legal Services Fund.

Per Section 34-6-40 NMSA 1978, the Civil Legal Services Fund receives \$25 for each district court docketed action, which yields approximately \$1.9 million to the fund annually, in addition to any General Fund appropriated.

Funding is flowed through the Civil Legal Services Fund to nonprofit organizations, which originally only received funding from other sources including the federal Legal Services Corporation, United Way, Local Governments and Equal Access to Justice. These revenue sources totaled \$8.4 million in FY07 and \$11.4 million in FY08. A 2005 study estimated over 18,000 eligible applicants were turned away due to a lack of funding. The 2007 Access to Justice Report estimated that an additional \$8 million was needed to close this gap.

The state CLS program was funded in FY05 with \$1.5 million in docket fees from the Civil Legal Services Fund. In 2007, the Legislature added a \$2.5 million General Fund appropriation for FY08, essentially doubling the state's commitment. The program reached its high of \$2.6 million in General Fund and \$2 million in fees in FY09.

The key issues are whether the program serves a core function and whether state can continue to add additional general fund resources on top of other these funding sources for low-income legal services. Another issue is whether any funding used for advocacy purposes is meeting the legislative intent of providing legal services to low-income individuals. The amount providers allocate for advocacy versus direct services is not known. The CLS contracts increased from FY10 to FY11 by 5 percent. This does not include any reductions taken for solvency actions in the current fiscal year.

Comparison of Contracts Awarded FY10-FY11			
Contractors	FY10	FY11	% Change
Advocacy Inc.	18,039	18,000	-0.2%
Catholic Charities	177,699	180,000	1.3%
DNA People's Legal Services	259,789	250,000	-3.8%
Enlace Comunitario	182,689	185,000	1.3%
Law Access NM	922,682	950,000	3.0%
Legal FACS	61,216	30,000	-51.0%
Native American Disability Law Center	72,922	70,000	-4.0%
NM Appleseed		25,000	#DIV/0!
NM Center on Law & Poverty	184,747	215,000	16.4%
NM Legal Aid	1,256,565	1,293,100	2.9%
NM State Bar Foundation	147,859	153,000	3.5%
Pegasus Legal Services for Children	75,705	110,000	45.3%
Disability Rights NM	93,743	110,000	17.3%
Senior Citizens Law Office	111,686	115,000	3.0%
Southwest Woman's Law Center	25,907	45,000	73.7%
United South Broadway	208,649	250,000	19.8%
Total	3,799,897	3,999,100	5.2%

Only one jurisdiction in the nation does not have state funding for low-income legal services.

If the state eliminates the program, there is the potential for someone to sue the state for not addressing the issue of equal justice. The argument had previously been somewhat addressed in a Supreme Court Opinion No. 13130, State of New Mexico vs. Rael 97 NM 640, 642 P.2d 1099, in which the question was whether an indigent was entitled to court-appointed counsel in a civil contempt proceeding brought to enforce an order of child support. The court found that the sixth amendment right to counsel guarantee applies only to criminal prosecutions.

Options to Consider:

Option 1: Eliminate the General Fund portion of the program's funding to reprioritize elsewhere. Contracts would be reduced from the current \$4 million to \$1,887.3 thousand. Using the average cost of \$455 per case (2005), the estimated cases would drop from 8,800 to 4,200. Contracts to legal aid entities would be cut by 50 percent, which would reduce the amount of legal services provided to low-income individuals.

Option 2: Eliminate the program entirely and reallocate both the docket fees that go into the Civil Legal Services Fund and General Fund elsewhere. Eliminating the program would result in approximately 8,800 less cases processed for low-income individuals.

Fiscal Implications: The fiscal impact is projected based on FY11 appropriations. If funding from the General Fund is eliminated in FY11, the impact is estimated for a quarter of the year based on projected effective date of legislation. If the entire program is eliminated, in addition to General Fund savings, the current revenue from docket fees could be reallocated to other programs. It is estimated that these legislative changes would be made effective in FY12.

Estimated Savings, Option 1 (in thousands of dollars)

FY11	FY12	Recurring or Nonrecurring	Fund Affected
500.0	2,044.4	R	General Fund

Estimated Savings, Option 2 (in thousands of dollars)

FY11	FY12	Recurring or Nonrecurring	Fund Affected
500.0	2,044.4	R	General Fund
0.0	1,887.3	R	Other Revenue

Revenue Impacts, Option 2 (in thousands of dollars)

FY11	FY12	Recurring or Nonrecurring	Fund Affected
	1,900.0	R	Reallocate docket court fees to other programs

Implementation Plan: The reduction of General Fund from the program can be accomplished within the normal budget process through the appropriation and language contained in the General Appropriation Act. Eliminating the program would require a statutory change to Section 34-14-1 NMSA 1978 and Section 34-6-40 NMSA 1978 during the 2011 legislative session. The docket fee would need to be redirected toward a higher priority legal need at the same time.

The changes would require strong lobbying efforts. Key stakeholders include the Legal Services Commission, providers of legal aid, New Mexico Commission on Access to Justice, and the New Mexico Bar Association which could oppose reducing or eliminating the program. There also has been widespread legislative and general political support for the program.

Recommendation: Option 1: Eliminate General Fund appropriation for the Civil Legal Services Program Option 2: Eliminate program entirely.
Opportunities: General fund savings.

Opposition: Key stakeholders include the Legal Services Commission, providers of legal aid, New Mexico Commission on Access to Justice, and the New Mexico Bar Association which could oppose eliminating the program or reduced funding.

Potential Savings (in thousands of dollars)						
	FY11			FY12		
	General Fund	Other Funds	Federal Funds	General Fund	Other Funds	Federal Funds
Personal Services and Employee Benefits:					\$46.4	
# Deleted FTE 1FTE					1	
Benefits					24.5	
Contractual Services:						
Medical Services						
Professional Services	500			2,044.40	1,951.20	
Other Contractual						
Audit					3.5	
Attorney Fees						
IT Services						
Other:						
In-State & Out-Of-State Travel					4.1	
Board/Commission Expenses					4.2	
Transportation Costs					2.3	
Grounds and Building Maintenance						
Leasing and Property Insurance					1	
Furniture/Equipment						
Information Technology					0.5	
Office Supplies					2.4	
Medical Services						
DoIT Fees					4.4	
Printing/Photo					0.5	
Postage					1.5	
Utilities						
Employee Training & Subscriptions/Dues						
Advertising					0.8	
Miscellaneous Other Expenses						
TOTAL - Option 1	\$500.0	\$0.0	\$0.0	\$2,044.4	\$0.0	\$0.0
TOTAL - Option 2	\$500.0	\$0.0	\$0.0	\$2,044.4	\$2,047.3	\$0.0

OPTION 2			
		Amount	Source
Revenue Impacts?	Y	1,900.0	Docket Fees

OPTION 1 OR 2		
		Amount Source
Cost to Implement?	N	

Comments/Notes: If the program was eliminated in total, the current docket fees received by the fund could be reallocated to other needs. Estimated savings for FY11 are based on savings in General Fund for a quarter of the year based on projected enactment of the appropriations bill. If docket fees are reallocated, it is projected this would not occur until FY12.

Core Services Category: Agriculture, Energy and Natural Resources

Study Area: Intertribal Ceremonial Office

High Level Recommendation: Elimination

Problem Statement: The department duplicates the functions of the Tourism Department and the Indian Affairs Department. Further, the Intertribal Ceremonial has shown minimal success in fulfilling its mission, has not demonstrated results – as indicated by performance measure data, and is a lower priority appropriation item in this revenue constrained environment.

Background and Findings:

- The department suffers from an unclear mandate and conflicts with local government functions. The Gallup Intertribal Ceremonial is a community event, governed by the Gallup Intertribal Ceremonial Association (GICA), a nonprofit corporation, with help from the state.
- Prior to FY10, the department received a direct appropriation to support FTE and promotion of the event. Of the FY10 appropriation, 93.8 percent and all of the FTE were vetoed. The community did however, received funds through a competitive bid process from the Tourism Department.
- The veto demonstrated the ability of the local government and nonprofit to continue the event with little state oversight.
- Despite the veto, the community received grant funds from the Tourism Department's Cooperative Advertising program.

Options to Consider: Eliminate the department all together as there is only a small amount left in the budget and no FTE. Through the Tourism Department's Cooperative Advertising program, the event could still receive state support, albeit through a competitive bid process.

Fiscal Implications: Although a minimal amount of general fund savings would be gained by eliminating the program there isn't a sufficient level of funding to hire FTE, nor are any appropriated to the agency. Without FTE there is no point in having the appropriation elevated to the level of an agency.

Potential Savings (in thousands)	
Contractual Services:	\$88.1
TOTAL	\$88.1

Implementation Plan:

- Introduce legislation to repeal the Intertribal Ceremonial Act.
- Transfer appropriation to the Tourism Department to combine with Cooperative Advertising program
- The Restructuring Taskforce should draft an omnibus bill to repeal acts.

